

1 BILL NO. R-84-06- 06

2 DECLARATORY RESOLUTION NO. R- 79-84

3 A DECLARATORY RESOLUTION designating
4 an "Economic Revitalization Area"
under I.C. 6-1.1-12.1.

5 WHEREAS, Petitioner has duly filed its petition dated
6 May 24, 1984, to have the following described property desig-
7 nated and declared an "Economic Revitalization Area" under Divi-
8 sion 6, Article II, Chapter 2 of the Municipal Code of the City
9 of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1,
10 to-wit:

11 Lot #10 in Centennial Industrial
12 Park, Section II, as recorded in
13 Plat Book #40, pages 56-59, in the
14 Office of the Recorder of Allen
County, Indiana, EXCEPT a triangular
piece of Lot #10, being more parti-
cularly described as follows:

15 Commencing at the Northeast corner
16 of Lot #13 in Centennial Industrial
17 Park, Section II, said point also
18 being the West corner of Lot #10 in
19 said addition; thence Southeast along
20 the East line of Lot #13, a distance
21 of 331.98 feet; thence North with a
22 deflection angle left of 172 degr.
23 4 min. 50 sec. and parallel to the
24 West line of said Lot #13, a dis-
25 tance of 245.55 feet; thence North-
26 west with a deflection angle left
27 of 28 degr. 46 min. 20 sec. a dis-
28 tance of 95.0 feet to the place of
29 beginning, containing 0.129 acres,
30 TOGETHER WITH a triangular piece at
31 the Southeast corner of Lot #13 in
32 said Centennial Industrial Park,
Section II, being more particularly
described as follows:

Commencing at the Southeast corner
of Lot #13 in Centennial Industrial
Park, Section II, thence West along
the South line of said Lot, 32.49
feet; thence North by a deflection
angle right of 90 degr. 14 min. 40
sec. and parallel to the West line
of said Lot #13, a distance of 233.68
feet to the point of intersection with
the East line of Lot #13; thence South-
east along the East line of Lot #13,
with a deflection angle right of 172
degr. 4 min. 50 sec. a distance of
235.79 feet to the place of beginning,
containing 0.87 acres;

1 Page Two

2 said property more commonly known as 2515 Charleston Place, Fort
3 Wayne, Indiana;

4 WHEREAS, it appears that said petition should be pro-
5 cessed to final determination in accordance with the provisions
6 of said Division 6.

7 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
8 OF THE CITY OF FORT WAYNE, INDIANA:

9 SECTION 1. That, subject to the requirements of Section
10 4, below, the property hereinabove described is hereby designated
11 and declared an "Economic Revitalization Area" under I.C. 6-1.1-
12 12.1. Said designation shall begin upon the effective date of
13 the Confirming Resolution referred to in Section 3 of this Resolu-
14 tion and shall continue for one (1) year thereafter. Said desig-
15 nation shall terminate at the end of that one-year period.

16 SECTION 2. That upon adoption of this Resolution:

17 (a) Said Resolution shall be filed with the Allen
18 County Assessor;

19 (b) Said Resolution shall be referred to the Committee
20 on Finance and shall also be referred to the De-
21 partment of Economic Development requesting a re-
22 commendation from said department concerning the
23 advisability of designating the above designated
24 area an "Economic Revitalization Area";

25 (c) Common Council shall publish notice in accordance
26 with I.C. 5-3-1 of the adoption and substance of
27 this Resolution and setting this designation as an
28 "Economic Revitalization Area" for public hearing;

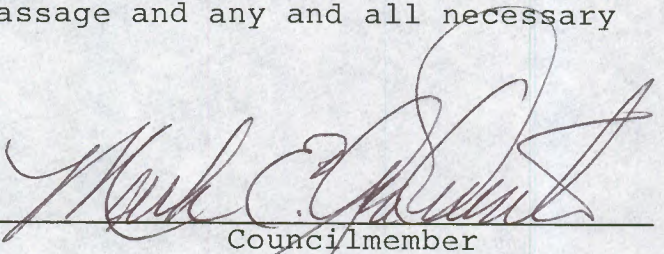
29 (d) If this Resolution involves an area that has al-
30 ready been designated an allocation area under
31 I.C. 36-7-14-39, then the Resolution shall be re-
32 ferred to the Fort Wayne Redevelopment Commission

Page Three

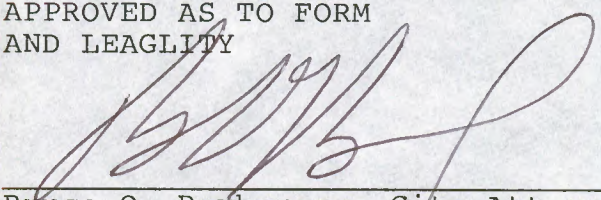
and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 2. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 4. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEAGLITY


Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time
by title and referred to the Committee _____ (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of
_____, 19_____, at _____ o'clock _____ .M., E.S.

DATE: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 6-12-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~)

(~~SPECIAL~~) (~~ZONING MAP~~) ~~ORDINANCE~~ (~~RESOLUTION~~) NO. B-79-84
on the 12th day of June, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 12th day of June, 1984,
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of June,
1984, at the hour of 4:00 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

APPLICATION FOR DESIGNATION
AS AN ECONOMIC REVITALIZATION AREA
-REAL ESTATE TAX ABATEMENT-

This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant Murray Equipment Inc (Corporation)
2. Owner(s) Murray Equipment Inc (List of Shareholders is attached)
3. Address of Owner(s) 3330 Taylor Street
Fort Wayne, In 46804
4. Telephone Number of Owner(s) (219) 432-3544
5. Relationship of Applicant to Owner(s) if any Same
6. Address of Applicant _____

7. Telephone number of Applicant () Same
8. Address of Property Seeking Designation 2515 Charleston Place
9. Legal Description of Property Proposed for Designation (may be attached) Attached

10. Township Washington Township
11. Taxing District Allen County

12. Current Zoning Industrial (I2)
13. Variance Granted (if any) _____
14. Current Use of Property
- a. How is property presently used? Vacant Land
- _____
- _____
- b. What Structure(s) (if any) are on the property? Vacant
- _____
- _____
- b. What is the condition of this structure/these structures? _____
- _____
15. Current Assessed Value of Real Estate _____
- a. Land \$21,300.00
- b. Improvements _____
16. Amount of Total Property Taxes Owed During the Immediate Past Year
- Nov. 83 - \$765.71, May 84 - \$805.36, Total \$1571.07
17. Description of Proposed Improvements to the Real Estate _____
- New Construction as follows - Warehouse & service area 27,360 sq. ft.
- Office - 5000 sq. ft.
- Basement - 5000 sq. ft.
- _____
18. Development Time Frame
- a. When will physical aspects of development or rehabilitation begin?
- Target is to begin construction mid to late June.
- b. When is completion expected? No later than 6 months after commencement of construction.
19. Cost of Project (not including land costs) \$860,000.00 approx.

20. Permanent Jobs Resulting from Completed Project

- a. How many permanent jobs will be employed at of in connection with the project after it is completed? Immediately two full time and 1 to 2 seasonal jobs. Thereafter, one full time employee every 1-1 1/2 years.

lation of this new manufacturing equipment? _____

- b. What is the nature of those jobs? 1 purchasing-full time, 1 phone sales full time, shipping-seasonal. Projected employment job descriptions as above plus managerial or clerical.
- c. Anticipated time frame for reaching employment level stated above?

Same as 20a

21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) _____

None to our knowledge

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? _____

We feel that the Fort Wayne economy in general is at a depressed level with reference to national averages of economic growth, unemployment rates, etc.

23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? MEI provides economic benefits to many other local businesses such as office supply companies, fabricating shops, transportation services, auto dealerships, etc. As MEI expands its volume, local businesses will benefit correspondingly, which will enhance the tax base of Allen County. Obvious benefits will also accrue to local building & banking concerns.
24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof. _____

Copy of Centennial Industrial Park Restrictions attached.

25. Zoning Restrictions

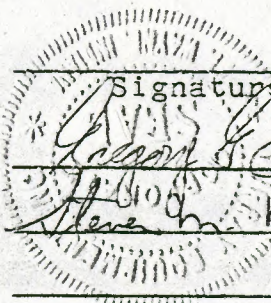
Will this project require a rezoning, variance, or approval before construction is initiated? _____ YES _____ x _____ NO

26. Financing on Project

What is the status of financing connected with this project?

We are in the process of arranging a mortgage with Fort Wayne National Bank. The Loan Officer involved is Mr. Jeff Kubley.

I hereby certify that the information and representation on this Application are true and complete.

 Signature(s) of Owners
Robert L. Felt - Secretary
Steve M. Murray - President

Date
5/24/84
5-24-84

Information Below to be filled in by Department of Economic Development:

Date Application Received:

Date Application Forwarded to Law Dept:

Date of Legal Notice Publication:

Date of Public Hearing:

Date of Building Permit:

Approved or Denied? Date:

Allocation Area:



murray equipment, inc.

LEADING THE INDUSTRY IN LIQUID HANDLING EQUIPMENT

3330 TAYLOR STREET
FORT WAYNE, INDIANA 46804
PHONE (219) 432-3544

LIST OF SHAREHOLDERS
MURRAY EQUIPMENT INC
AS OF 5/24/84

CLARENCE MURRAY	12.17%
ROSEMARY MURRAY	12.12%
STEVEN MURRAY	10.33%
ANGELA MURRAY	5.33%
DANIEL MURRAY	5.33%
REGINA MURRAY	5.33%
DIANE NEWBY	8.67%
MONICA NEWBY	5.33%
JARED NEWBY	5.33%
CYNTHIA FITCH	8.67%
ALLAN FITCH	5.33%
EMILY FITCH	5.33%
JONATHAN FITCH	5.33%
DAVID CALLAHAN	2.67%
GREG FRITZ	2.67%

100.00%
=====

CERTIFICATE OF SURVEY

OFFICE OF:

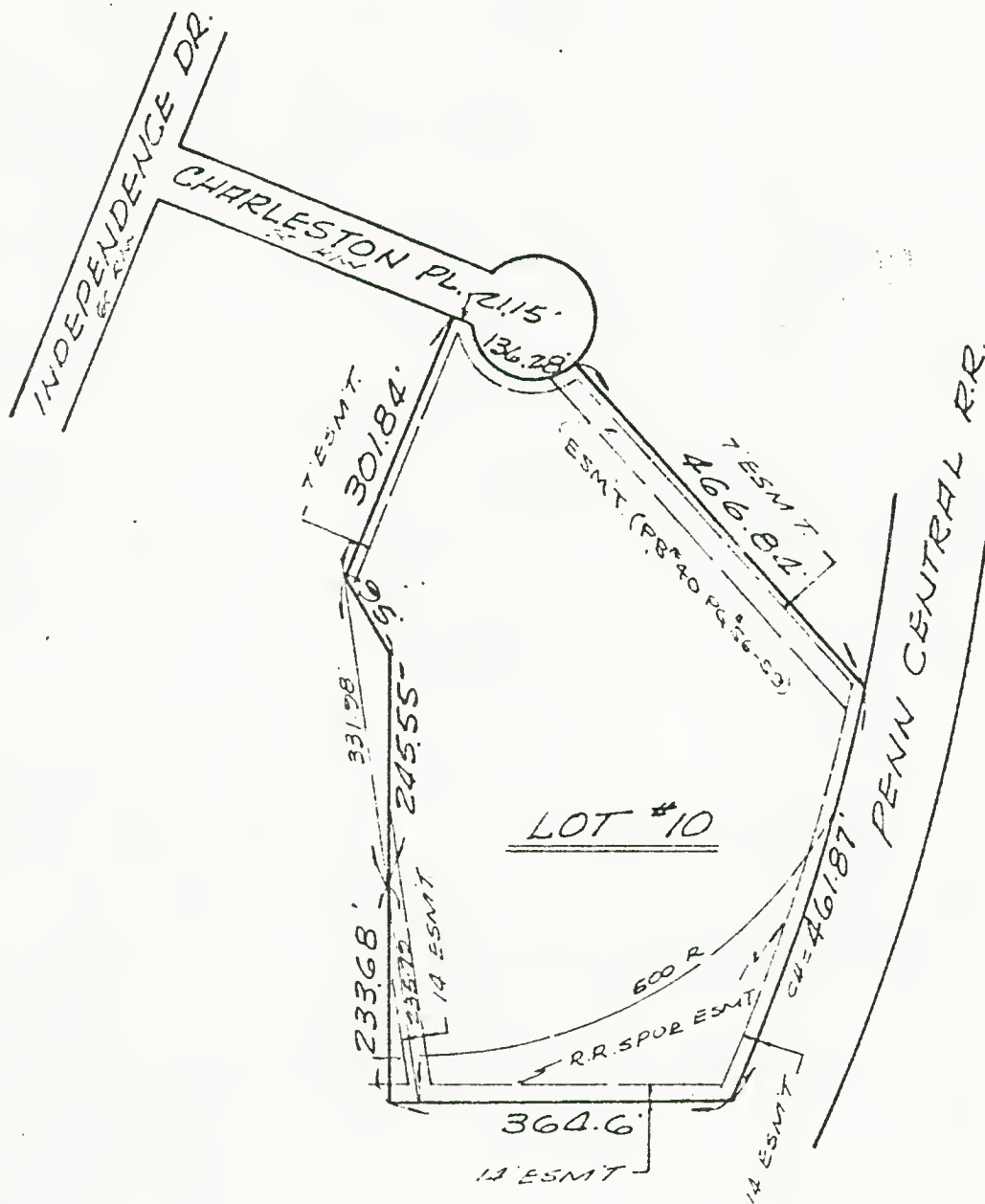
JOHN R. DONOVAN
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit:

SEE ATTACHED SHEET

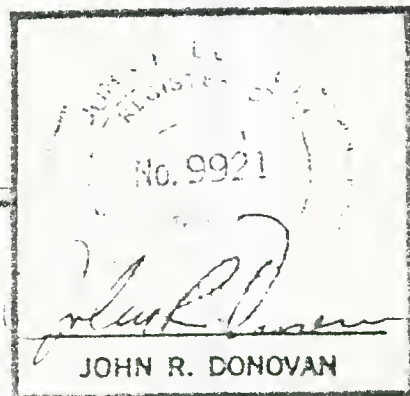


NOTE: According to the FIA Flood Hazard Boundary Maps, the above described real estate is not located in a flood hazard area.

RE-CERTIFIED 8-14-80 *John R. Donovan*

JOB FOR: CENTENNIAL PARK

1"=200'
3-28-80
REV. 8-14-80



CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA
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The description of the real estate is as follows, to wit: Lot #10 in Centennial Industrial Park, Section II, as recorded in Plat Book #40, pages 56-59, in the Office of the Recorder of Allen County, Indiana, EXCEPT a triangular piece of Lot #10, being more particularly described as follows:

Commencing at the Northeast corner of Lot #13 in Centennial Industrial Park, Section II, said point also being the West corner of Lot #10 in said addition; thence Southeast along the East line of Lot #13, a distance of 331.98 feet; thence North with a deflection angle left of 172 degr. 4 min. 50 sec. and parallel to the West line of said Lot #13, a distance of 245.55 feet; thence Northwest with a deflection angle left of 28 degr. 46 min. 26 sec. a distance of 95.0 feet to the place of beginning, containing 0.127 acres, TOGETHER WITH a triangular piece at the Southeast corner of Lot #13 in said Centennial Industrial Park, Section II, being more particularly described as follows:

Commencing at the Southeast corner of Lot #13 in Centennial Industrial Park, Section II; thence West along the South line of said Lot, 32.49 feet; thence North by a deflection angle right of 90 degr. 14 min. 40 sec. and parallel to the West line of said Lot #13, a distance of 233.68 feet to the point of intersection with the East line of Lot #13; thence Southeast along the East line of Lot #13, with a deflection angle right of 172 degr. 4 min. 50 sec. a distance of 235.79 feet to the place of beginning, containing 0.47 acres.

JOB FOR: CENTENNIAL PARK

2-28-84

JOHN R. DONOVAN

PROTECTIVE COVENANTS
RESTRICTIONS & LIMITATIONS
FOR
CENTENNIAL INDUSTRIAL PARK - SECTION II

All of the lots in the plat of CENTENNIAL INDUSTRIAL PARK - SECTION II (hereinafter called the "subdivision") shall be subject to and impressed with the easements and Protective Covenants, Restrictions and Limitations hereinafter set forth, which shall be considered a part of every conveyance of any lot or portion thereof in the subdivision without being written therein. The provisions herein contained are for the mutual benefit and protection of the owners, present and future, of any and all lots in the subdivision and they shall run with and bind the land and shall inure to the benefit of, and be enforceable by the owner or owners of any lot or lots in the subdivision and their respective legal representatives, heirs, successors, grantees and assigns.

1. The word "lot" means a parcel of land, designated in the recorded plat of the subdivision by number and defined by boundary dimensions noted thereon.

2. USE. All lots in the subdivision shall be used only for General or Light Industrial use, as permitted by and referred to in the Zoning Ordinance of the City of Fort Wayne, as amended from time to time.

3. BUILDING LINES. There is hereby created and established a building line for each lot as shown on the plat.

4. PLATTED UTILITY EASEMENTS. All lots in the subdivision shall be subject to the easements indicated upon the recorded plat, which may be used for the installation, construction, maintenance, operation, servicing, repair, removal, and replacement of:

(a) Poles, wires and conduits, and the necessary and proper attachments in connection therewith; for the transmission of electricity for light, power, telephone and other purposes;

- (b) Surface and storm water sewers and drains;
- (c) Sanitary sewers;
- (d) Pipelines, their pumps and appurtenances for supplying gas, water and heat; and
- (e) For any other municipal, public, or quasi-public utility.

5. IMPROVEMENT LOCATION PERMIT AND CERTIFICATE OF OCCUPANCY. Before any lot or building site within the subdivision may be used or occupied, the user or occupier shall first obtain an Improvement Location Permit and Certificate of Occupancy, as required by the Zoning Ordinance then in effect.

6. CONSTRUCTION STANDARDS AND RESTRICTIONS - ARCHITECTURAL CONTROL.

Construction or alteration of all buildings in CENTENNIAL INDUSTRIAL PARK, SECTION II, shall meet the standards provided in these restrictions:

- (A) No building shall be constructed with wooden frame;
- (B) All walls shall be of masonry construction or of such other materials as may be considered by Northside Finance Corp., or its successors and assigns, to be equal to or better than masonry in strength, fire resistance, appearance, and durability. Front and side walls to a depth of 20 feet shall be finished with face brick or such other material, which in the opinion of Northside Finance Corp., its successors and assigns, is equal to or better than face brick in strength, fire resistance, appearance and durability. Buildings situated on corner lots shall be considered to have two fronts. When walls other than front walls as described above are constructed of lightweight aggregate or concrete blocks, unless such walls are finished in stucco, gunite, or equivalent, the joints shall be tooled or pointed and such exterior walls shall be rubbed down and covered sufficiently with standard waterproofing paint;

(C) All other types of construction not covered in the above must first be submitted to and have the written approval of Northside Finance Corp., its successors or assigns, or the Architectural Control Committee by it;

(D) Prior to construction or alteration of any building or improvement on a building tract, two (2) sets of plans and specifications for such building or alteration shall be submitted to Northside Finance Corp. or the Architectural Control Committee, and written approval of such plans by Northside Finance Corp., or said Committee shall be proof of compliance with this restriction; PROVIDED, HOWEVER, that if Northside Finance Corp. or the Committee fails to approve or disapprove such plans and specifications within thirty (30) days after such plans have been submitted to it, such approval shall not be required.

(E) Plans and specifications for the construction, installation, or alteration of all signs in setback areas, loading docks, parking facilities and landscape planting on any property in the Park must first be submitted to and have the written approval of Northside Finance Corp., its successors or assigns. The erection of signs upon buildings shall be at the discretion of the building owner, but shall conform to the standards imposed by the Zoning Ordinances of the City of Fort Wayne, Indiana.

(F) No accessory building use shall be construed to permit the keeping of articles, goods or materials in the open or exposed to public view. When necessary to store or keep such materials in the open, the lot or area shall be fenced with a screening fence at least six (6) feet in height; said storage shall be limited to the rear two-thirds of the property.

(G) Employee, customer, owner or tenant parking will not be permitted on private or public dedicated streets in CENTENNIAL INDUSTRIAL PARK, SECTION II, and it will be the responsibility of property owners, their successors or assigns, to provide such parking facilities to the rear of any frontage

street established setback areas. Parking areas must be paved with a year-round surface (asphalt or concrete). As a minimum, land purchases in COMMERCIAL INDUSTRIAL PARK, SECTION II, shall be sufficient in size to provide at least two (2) parking spaces for every three (3) employees, plus sufficient spaces to park all company owned or leased motor vehicles, semi-trailers and trailers.

(H) Planting areas and landscaping shall conform to reasonable minimum standards as proposed by and on file with Northside Finance Corp., its successors or assigns, or the Architectural Control Committee, and plans therefor shall be submitted to and approved by Northside or the Committee prior to the implementation thereof.

(I) The owner of any tract in this Park must at all times keep the premises, building, improvements and appurtenances in a safe, clean, wholesome condition and comply in all respects with all government, health and police requirements; and any owner will remove or cause to be removed any rubbish of any character whatsoever which may accumulate on said property.

7. MAINTENANCE FUND. All tracts or lots encompassing said real estate shall be subject to an annual grounds maintenance fee or charge of Fifteen Dollars * (\$15.00) per acre or fraction thereof for the purpose of creating a fund to be known as the "Grounds Maintenance Fund," to be paid by the respective owners of said tracts or lots in advance on the first day of June of each year, payable to Northside Finance Corp., or its nominee; said fund shall be used and expended in caring for and maintaining lights and park areas and in general, carrying out a plan of beautification of the Park.

The amount of said charge for grounds maintenance shall constitute a lien inferior only to taxes, assessments and mortgages upon the tract or lot against which it is charged until paid; PROVIDED, HOWEVER, that any person purchasing or otherwise dealing with any tract or lot may rely upon a certificate signed by Northside Finance Corp., or its nominee, or the president or secretary

* Annual maintenance charge is subject to revision by a majority of the property owners.

of the hereinafter mentioned not-for-profit corporation, if such is in being, showing the amount of the charge due and unpaid as of the date of such certificate.

The general grounds maintenance will be maintained exclusively by Northside Finance Corp., or its nominee, with the understanding that when 80% or more of the above-described real estate, exclusive of roadways, is no longer owned by Northside Finance Corp., the maintenance and upkeep of said facility may then be transferred to a not-for-profit corporation.

8. OPTION TO REPURCHASE UPON FAILURE TO IMPROVE - TWO YEAR PERIOD.

If, after the expiration of two (2) years from the date of purchase of any lot within the subdivision, any purchaser shall not have begun in good faith the construction of an acceptable building upon said tract, Northside Finance Corp., its successors, and assigns, retain the option to refund the purchase price and enter into possession of said land. At any time, Northside Finance Corp., its successors or assigns, may extend in writing the time in which such building may be begun.

9. PROHIBITED USES. None of the real estate contained within the platted area shall be used for, or in connection with, the operation of a slaughterhouse, asphalt hot mix plant, or other activity which might create odors or excessive quantities of dust which would be injurious to products manufactured, or stored, upon adjoining premises.

THIS INSTRUMENT PREPARED BY: Clifford E. Simon, Jr., Attorney-at-Law
2400 Fort Wayne National Bank Building
Fort Wayne, Indiana 46802

No 31 May 24 1984
Received from MURRAY EQUIPMENT INC.
Fifty and $\frac{00}{100}$ ————— Dollars
FOR TAX ABATEMENT
\$50⁰⁰
James D. R.
* WILSON JONES CO. U.S.A.

Admn. Appr. _____

DIGEST SHEETTITLE OF ORDINANCE Declaratory Resolution Q-8406-06DEPARTMENT REQUESTING ORDINANCE Economic DevelopmentSYNOPSIS OF ORDINANCE A Declaratory Resolution designating an "Economic
Revitalization Area" under I.C. 6-1.1-12.1.(2515 Charleston Place; Murray Equipment, Inc.)

_____EFFECT OF PASSAGE Land that is presently vacant will be used to construct
a warehouse and service area.EFFECT OF NON-PASSAGE Opposite of the above.

_____MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \$860,000.00 approximately

ASSIGNED TO COMMITTEE (PRESIDENT) _____